

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALOYSIUS L. RHODES,

No. 07-03754 CW

Plaintiff,

ORDER OF
DISMISSAL

v.

MARK HEADRICK,

Defendant.

On July 31, 2008, Defendant filed a motion to dismiss and on August 5, 2008, Defendant renoticed his motion to dismiss for hearing on September 18, 2008. Plaintiff's opposition to the motion was due on August 28, 2008. The time to file an opposition to the motion has passed, and Plaintiff has not filed an opposition or requested an extension of time. Accordingly,

IT IS HEREBY ORDERED that the above-captioned case is dismissed without prejudice for failure to prosecute.

9/11/08

Dated _____



CLAUDIA WILKEN
United States District Judge